

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: De Keczer, et al.

Filed: September 9, 1999

Serial No.: 9/393,579

Title: Protecting Groups for Biological Labeling

Attorney Docket No.: BEH-7410



) Group Art Unit. 1627

) Examiner: Celsa, B.

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RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

In the Office Action of December 13, 2000, the Office issued a Restriction Requirement pursuant to 35 U.S.C. §121. The claims were restricted into the following seven groups:

- I. Claims 1-12, drawn to a protected alkylating reagent, classified in class 562, subclass 490.
- II. Claims 13, 17, 18 and 31, drawn to a compositions for use in a method of coupling (e.g. forming a conjugate), classified in class 424, subclass 94.5.
- III. Claims 14-16, 19-30, 32-44 and 46, drawn to compositions (e.g. kits) for use in a method of determining homocysteine, classified in class 436, subclass 518.
- IV. Claim 45, drawn to a method of preparing a phosphorylated haloketone, classified in class 568, subclass 303.

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, on this 9th day of February, 2001.

Gloria D. Bland

- V. Claims 47-49, drawn to a method for releasing an alkylating reagent into an aqueous medium, classified in class 585, subclass 370.
- VI. Claim 50 is drawn to a method of alkylating a mercaptan, classified in class 562, subclass 557.
- VII. Claims 51-56, drawn to enol ester, classified in class 568, subclass 850.

Applicants elect Group III, claims 14-16, 19-30, 32-34 and 46, without traverse.

The Office has further asked for an election of species. Accordingly, for the protected alkylating reagent, Applicants choose α -bromoacetylbenzoic acid (BABA). The structure for BABA is shown on page 22 of the specification. Applicants elect phosphine as the disulfide reducing agent. Applicants elect alkaline phosphatase as the activating reagent capable of deprotecting to the protected alkylating reagent. Applicants elect an antibody as the reagent capable of specifically binding to modified homocysteine.

In the event Examiner is of the opinion that a telephone conference would expedite prosecution of this Application, Examiner is encouraged to call Applicants' undersigned representative.

Respectfully submitted,



Patrick G. Gattari
Registration No. 39,682
Attorney for Applicants

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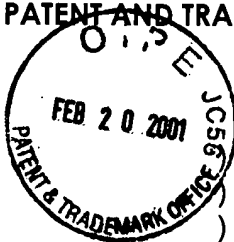
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TRANSMITTAL LETTER

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

With regards to the above-referenced application, enclosed please find the following:

- 1) Response to Restriction Requirement;
- 2) Petition for a One Month Extension of Time; and
- 3) Return Post Card.

Respectfully submitted,

Patrick G. Gattari
Registration No. 39,682
Attorney for Applicants

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